

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, SW
WASHINGTON, DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: GARY A. LOEHRS
TELEPHONE: (202) 418-2700
FACSIMILE: (202) 418-1410/1411
MAIL STOP: 1800B3
INTERNET ADDRESS: Gary.Loehrs@fcc.gov

Team Radio LLC
P.O. Box 2509
Ponca City, OK 74602-2509

JUL 31 2009

Re: KLOR-FM, Cheney, KS
Facility ID No. 52678
Team Radio LLC
File No. BPH-20080708AOL

Dear Applicant:

This letter refers to the above-captioned minor modification to a construction permit application.

Antenna Structure Registration

Pursuant to 47 C.F.R. § 17.4(a), any proposed construction of a new antenna structure or proposed alteration of an existing antenna structure that requires notification to the Federal Aviation Administration (FAA) requires registration with the Commission prior to the proposed construction or alteration. The KLOR application indicates that the tower for the facility proposed in the captioned application is not registered. FCC antenna structure registration may be accomplished via the internet at <http://www.fcc.gov/wtb/antenna/>.

Please note that FAA approval of the KLOR tower is necessary in order to obtain FCC antenna structure registration. Following FCC registration of the antenna structure, a curative amendment to the application, which includes the antenna structure registration number, must be submitted to the Commission so that processing of the application may be completed.

NEPA Certification

The instant application requires an assessment to determine applicability of the Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process (See Report and Order FCC 04-222 released October 5, 2004).¹ The applicant must complete the Section 106 Review Process in accordance with Sections 1.1306 and 1.1307 of the Commission's Rules.² Rule 1.1307(a)(4) specifies the requirement to follow the procedures set forth in the rules of the Advisory Council on Historic Preservation.³ Upon completion, the applicant shall electronically file an

¹ The Agreement is incorporated as Appendix C to Part 1 of the Commission's Rules.

² See 47 C.F.R. § 1.1306 and § 1.1307.

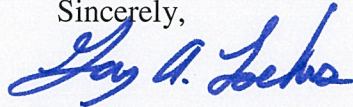
³ See 36 C.F.R., Part 800.

amendment, including the environmental certification and a statement summarizing the results of the Section 106 Review. The applicant may use the Agreements incorporated as Appendices B and C to Part 1 of the Commission's Rules to determine whether the undertaking is excluded from Section 106 Review. If the proposal is not excluded, the applicant may use the Tower Construction Notification System to notify Tribal Historic Preservation Offices. Use FCC Form 620 to notify the State Historic Preservation Office of a proposal for a new tower or FCC Form 621 for proposed collocation.

Conclusion

Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide KLOR an opportunity to submit the requested information. If the antenna structure cannot be registered or if the applicant cannot demonstrate compliance with the National Historic Preservation Act Review Process within 30 days of the date of this letter, the Audio Division (AD) must be notified in writing, concerning the delay.⁴ In the event that further delays occur, the applicant must provide the Audio Division with written updates every 60 days thereafter.⁵ Failure to respond within this time period or to provide the written updates will result in the dismissal of the application for failure to prosecute pursuant to 47 C.F.R. § 73.3568(a)(1).

Sincerely,



for

Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Vincent J. Curtis, Jr., Esquire
Donald Lynch

⁴ If this cannot be accomplished within the initial 30 day period, the first response to this letter shall be filed in triplicate with the Secretary of the Commission and shall contain a specific narrative of the actions taken to accomplish these two requirements. The response shall include copies of all correspondence with the FAA and all local environmental offices.

⁵ Each 60 day update shall be filed in triplicate with the Secretary of the Commission and shall report specific actions taken since the previous report toward securing FAA approval and environmental compliance.